



IT IS ORDERED

Date Entered on Docket: March 15, 2013

The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

Debbie Hogan, 8871

Case No. 12-11959-s7

Debtor.

**DEFAULT ORDER GRANTING BANK OF AMERICA, N.A. ABANDONMENT OF PROPERTY
LOCATED AT 501 CAMINITO AVENUE, MORIARTY, NM 87035**

This matter came before the Court on the Motion for Abandonment Regarding Property located at 501 Caminito Avenue, Moriarty, NM 87035, filed on February 7, 2013, Docket No. 19 (the "Motion") by Bank of America, N.A. ("Movant"). The Court, having reviewed the record and the Motion, and being otherwise sufficiently informed, FINDS:

(a) On February 7, 2013, Movant served the Motion and a notice of the Motion (the "Notice") on counsel of record for the Debtor(s) and the case trustee (the "Trustee") by use of the Court's case management and electronic filing system for the transmission of notices, as authorized by Fed.R.Civ.P. 5(b)(3) and NM LBR 9036-1, and on the Debtor(s) by United States first class mail, in accordance with Bankruptcy Rules 7004 and 9014.

(b) The Motion relates to the following property:

LOT LETTERED "A" OF HACIENDA DE CIELO ALEGRE, A SUBDIVISION, AS THE SAME IS SHOWN AND DESIGNATED ON THAT CERTAIN PLAT ENTITLED "HACIENDA DE CIELO ALEGRE", PREPARED BY GUY D. HAYDEN, NMLS #4070, FILED FOR RECORD ON APRIL 9, 1973, AT 12:50 O'CLOCK, P.M., AS DOCUMENT NUMBER 25917, AND RECORDED IN PLAT BOOK 2, PAGE 62, PLAT RECORDS OF TORRANCE COUNTY, NEW MEXICO

(the "Property").

(c) The Notice specified an objection deadline of 14 days from the date of service of the Notice, to which three days was added under Bankruptcy Rule 9006(f);

(d) The Notice was sufficient in form and content;

(e) The objection deadline expired on March 4, 2013;

(f) As of March 5, 2013, neither the Debtor nor the Trustee, nor any other party in interest, filed an objection to the Motion;

(g) The Motion is well taken and should be granted as provided herein; and

(h) By submitting this Order to the Court for entry, the undersigned counsel for Movant certifies, under penalty of perjury that, on March 5, 2013 Robin L. Hill, Bankruptcy Legal Assistant searched the data banks of the Department of Defense Manpower Data Center ("DMDC"), and found that the DMDC does not possess any information indicating that the Debtor is currently on active military duty of the United States.

IT IS THEREFORE ORDERED:

1. Pursuant to 11 U.S.C. §554(b), as of the date of entry of this Order, the property is deemed to be abandoned and is therefore no longer property of the estate. As a result, Movant need not name the Trustee as a defendant in any state court action it may pursue to foreclosure liens against the Property and need not notify the Trustee of any sale of the Property.

2. This Order shall continue in full force and effect if this case is dismissed or converted to a case under another chapter of the Bankruptcy Code.

XXX END OF ORDER XXX

Submitted by:

SUSAN C. LITTLE & ASSOCIATES, LTD.

By: /S/Electronically filed/ 3.14.13

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